

This is my story. First, I think it is important to give you a little background of the week leading up to the incident, the week of April 18, 2016.

Background-week before the incident:

On April 18, 2016, The Department of Highways came into Charles Town and brought their bulldozers, bobcats, skid loaders with them, unbeknownst to any of the property owners in either Charles Town or Ranson (WV). They began digging up the street at the corner near us, one block from our two commercial buildings, and by Thursday had made their way to our office front, 3 buildings from where they started, tearing up the pavement along the way, taking our front street parking away from us and even taking away our entrance to our small parking area between our two properties. Our clients didn't know how to get to our office and we had to direct them in through the back alley.

When the road demolition reached our office door, I walked onto our front porch and questioned the DOH workers out front, thinking they may be replacing water lines. They told me then, for the first time, about a Project, (which I now know the name of: FAIRFAX BOULEVARD GREEN CORRIDOR PROJECT), and further told me that we would never get our front parking back, saying "if anyone complained they were told to send them to the City of Ranson," and so it began. After visiting with the Assistant City Manager of Ranson (the City Manager ran out the back door as we pulled up), and finding out that our street parking was gone and our office entrance was on the "Plan" to be permanently blocked, we were then told to talk with the Project Engineer. We then visited the DOH's makeshift Ranson office on Thursday, April 21, 2016. While at the DOH office in Ranson that day, which consisted of a small open area with two offices and no door between, my husband spoke with the engineer while I sat conversing with two disgruntled DOH employees in the adjacent open area. They told me how they wanted to "get out of this hellhole" and further made it clear that nothing was going to stop them. Anyway, after speaking to them for a short while, a large man came in and I was then introduced to the "State's Muscle Man." You can't make this stuff

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EXHIBIT 26

up..... When I asked what that meant, I was told "he's the guy the State sent to make sure this project goes off without a hitch." I asked if that was a threat? I then pointed to my husband, sitting behind me talking with the Engineer, and half jokingly said, "well, I have a Muscle man of my own." One of the men, not Muscle Man because he didn't say a word the entire time, asked me if that was my husband and what his name was. He said, "never heard of him." My husband, wrapping up his conversation with the Engineer, just laughed and said "they don't care who I am." Then we left, with only the word of the Engineer that he would try to alter the plans so as to give us back some of our parking spaces.

Date of the Incident, April 25, 2016:

Monday came. No word from the Engineer. The workers out front were obviously building the frames for the pouring of concrete. So, after picking my son up from school, dropping him off at the office and then vacuuming out my car, I briefly parked out front, blinkers on, outside of our commercial building, which is immediately beside our office. This was Monday, the 25th of April, 2016, at approximately 3:50 p.m. I wanted to ask the men out front if they knew when the Concrete (to block our parking area entrance) was going to be poured. They said they didn't know. So, I got back in the car and left a voicemail message with the Martinsburg Journal, regarding the unvetted Project, hoping to get some local media attention. Then, at approx. 4 pm I drove around the block to get to our back alley to park behind our office, where we had only enough space for 3 cars, our employee cars. Anyway, as I drove around the block, turning right on 1<sup>st</sup> Ave., I found myself behind the concrete contractor truck which slowed down in front of me and turned left into the American Public University parking lot at approx 4:02, so I decided to pull in slowly and park beside them to ask when they would be pouring Concrete. I parked beside the truck on the right of the truck. A passenger got out and walked in front of my car, I rolled down the driver's side window of my car door to say to him, "can I ask you question?" He rolled his eyes, probably recognizing me from the week before, and said "sure." He started walking to my driver's side window. But just then the driver of the work truck turned into me and

hit my driver's side door with great force. I think he was swinging right to do a u-turn to Exit the parking lot the way he had entered. The passenger screamed at him "great!! Now you owe 'the woman' a new car." The driver immediately hopped out and began apologizing to me, saying he had not seen me parked there. I initially felt bad for the driver. He was older and was being verbally bashed by his passenger, whom I assumed must have been his supervisor. I moved my car to the front of the parking lot and came back to talk with the driver. The passenger was by then talking to someone else, whose face I later recalled .....he was talking with the State's "Muscle Man." Out of the blue 3 police cars arrived and three officers approached us (Ranson City, Charles Town City and State Police). The passenger then unbelievably yelled out to them "she came in here like a bat out of hell and didn't stop!" A BALD FACED LIE. I immediately verbally protested, telling them all that it wasn't true and that my car had been in park. I told them that the truck had hit me. But the Ranson and Charles Town officers took these two men over to the center of the parking lot and I was left with a huge, very mean State Trooper. I tried to talk to him, wanting to tell him the truth about what happened and how the truck had hit me. But he only screamed SHUT UP. Each time I tried to tell him anything he would again scream, "I don't care, SHUT UP!!" I think it was when I said "this is America, I have a right to hear what they're saying" that he began to physically assault me. I am 5'7" and weighed 155. He was 6'1" and weighed over 230. My 13 page affidavit, attached to this story, details the abuse and the arrest and the 5 hour hospital scene and the further abuse and rough rides and torture that he put me through, which didn't end until just after midnight. My affidavit also details the prosecutorial misconduct and cover up that has been ongoing throughout this almost two year Magistrate Court debacle.

While it is unbelievable that an officer of the law would every resort to the use of physical force on a 49 year old mother of four, what came after the abuse and unlawful arrest is the story which I hope someday will get National attention.\* After physically assaulting me, he wasted no time putting me into his patrol car, turning his already loud hard rock music up several decibels - blasting my ears, double



locking the car doors (clicking twice). The next thing I noticed was that someone was moving a red dump truck up beside the police car in which I sat. I thought "this must be a nightmare, I have to wake myself up now." But it wasn't. And, for what seemed like an eternity, I was crying, double handcuffed in the back seat of his patrol car, unable to move - the pain was so intense. Finally, my husband came up to the window and I mouthed the words "I'm hurt" to him. He left me and I didn't know where he went. I was double handcuffed, in the backseat of this Trooper's car for a long time. I was eventually driven to the hospital, on the way the Trooper telling me "not to make an ass out of myself at the hospital." Upon arrival at the hospital, the State Trooper further abused me, pushing me roughly in through the emergency room doors, as if I had just committed murder, causing me to scream out in pain. The hospital says their emergency door video wasn't working that day. Their "software was down." Funny, but not one police officer had audio or video either of the parking lot scene of abuse and unlawful behavior. The Prosecutor offered no explanation as to why they didn't follow policy and engage their car or body audio/video. The State Trooper who abused me had just used his body audio in Court two weeks before my incident (against a female attorney from D.C.) as evidence in his favor, and we know he that had body audio on April 25, 2016. He either chose not to use it or he chose to erase it. He admitted in court that he was bored that day, "trying to find something to do." We subpoenaed all policies and invoices showing that each officer had in car video and two even had body audio, yet they got away with just saying they "didn't use it." Their policies all require them to use it, if they have citizen contact.

But one thing they didn't think about was that American Public University had parking lot video footage. And in that video you will see the crime scene being recreated. The Trooper found out who he had beaten, this time someone who he wouldn't be able to blackmail into not suing him, someone with no blemish on her record. A law abiding, well respected member of the community. So, he quickly recreated the scene of the supposed "crime" so as to create tire marks in the gravel to make it look like she "came in there like a bat out of hell and didn't stop!" He must have collaborated with the other two police officers, who may have been scared not to do his

bidding, and he convinced a DOH contractor to move my car around the block and race it through the parking lot. They even moved their own cars to make it look real. But they didn't count on there being a video of this recreation. The video shows a 6'4" tall man exiting my car wearing a reflective yellow (construction) vest with long black sleeves underneath. It then shows this same man getting back into my car (to get my purse) and it shows a heavy set short black sleeved (officer) putting my purse back into my car - at the same exact time as they all claim the "CRIME" was committed. It is worthy to note that the State Trooper involved in this cover up was/is an "ACCIDENT RECONSTRUCTION EXPERT" and the passenger of the truck, who lied to the police, was/is a "CONVICTED FELON" - social security fraud.

My husband emailed American Public University the day after the incident, asking them to preserve the video footage from 2:15-4:15 p.m. (because the real incident occurred at approx 4:03-4:04 pm). Their attorney promised to do so in an email and copied his video department, specifically a man named Timothy, with his response. My attorney subpoenaed that 2:15-4:15 pm video in June, two months later. Incredulously, APUS gave us only video footage from 4:17-5:00 pm. We had not even asked for that footage time. When asked where the earlier video tape footage was, Timothy from APU said he had erased it. He verbally told my attorney he didn't think it was needed and then later changed his story to "I didn't think it showed anything." Timothy then did not bother to follow subpoenaed orders to attend my 10 hour exhausting Magistrate Court trial, held last November, 2017. He was supposedly "on vacation." And further, APU's Attorney said that she was told by the Magistrate Court that he didn't need to come. We absolutely needed Timothy to come though, because, you see, the Judge didn't allow the video to be viewed since no one was there to "authenticate it" from APUS.

The Magistrate Court thus effectively avoided examining and reviewing the video. The Magistrate's secretary told me three weeks in advance of the trial that I could bring video equipment (projector and screen) to the trial and view the video, which had been in the possession of the Magistrate Court for over a year by the date of my trial, so I had rented video equipment, transported same and carried

it around for days, only to be denied the chance to review this video in Court.

I have a plethora of evidence and have given everyone opportunities to tell the truth. I was so hopeful, for the sake of humanity, that some brave soul would step forward and tell the truth, saving himself from further entanglement. But they are all in too deep at this point. The police will say, we don't know who is moving the car. They'll say my car was in the back of that lot by a tree with gravel marks leading up to it when they arrived. But how do they justify never investigating my allegations of fraud and cover up? My husband filed a 70 plus page Motion to Dismiss alleging fraudulent activity and asking for an investigation. The prosecutor has had this video in her possession since June of 2016.

In addition to the obvious issue that it's not me getting out of my car, another glaring issue shown in the video is that all officers arrive after my car is shown entering the lot, yet at least one officer reported "arrived on scene at 4:00 PM." (as per the 911/CAD call log), which we've studied at great length. My car is shown entering the parking lot on the video at @4:26 PM. Another huge discrepancy is that the passenger, the convicted felon, made a 911 call to report the "crime" before my car had even entered the parking lot. He called in the crime at @4:25 p.m., saying "the crazy bitch done hit our truck." OOPS - a few minutes too early, even if their plan is to pretend like that's me on the video. He jumped the gun I guess. And when the Ranson City police officer was asked under oath, "where were you from 4 p.m. until 4:30 p.m.?" he rolled a lifesaver around in his mouth, chuckled, and said he "didn't recall."

AND, can anyone explain why the guy running from my car has on the same outfit on as the guy getting into the skid loader later in the video, with the same build? Who moved my car and who instructed him to do it?

Don't forget, I had moved my car to the front of the parking lot and parked it by a concrete barrier, long before police arrived. If Timothy, the APUS video guy, wouldn't have independently taken the liberty to "erase the earlier footage," the subpoenaed footage, then



everyone would see me parking my car and walking back to calmly talk with the driver of the truck, who said in court that we were calmly talking and apologizing when police arrived.

Three words describe the police behavior: CODE OF SILENCE

And two words, describe the co-conspirator construction workers' behavior: POLICE INTIMIDATION

I will be filing a civil suit shortly, but I wanted to give each police department and the Magistrate Court the opportunity to do the right thing. They apparently have no intention of doing the right thing. The City of Ranson Police Chief arrange a meeting with me last January to view the video, and then cancelled the night before, stating his City attorney, who happens to also be a prosecutor in magistrate court, did not want him to meet with me. Maschett, prosecutor in my case, has lied repeatedly in letters and statements made in court and has covered up for the police officers the entire time. My last Magistrate, whose husband is Sheriff and son is a State Trooper, allowed many unlawful things to happen in her courtroom and withheld exculpatory evidence from me regarding the Trooper's history of abuse. The State Trooper who physically abused me is the son of a retired State Trooper and is being protected by the system.

10 hour Magistrate Court trial, November 11, 2017:

Magistrate Senseney, the final Judge in my case, took one look at my damaged door and dropped the "destruction of property" charge, which could have meant a sentence of up to one year in jail. He said, and I quote, "the only destruction is that of Mrs. Hamstead's car." Yet, to appease the system, he still found me guilty of "disorderly conduct" and "obstruction," giving me the minimum \$200 fine for each.

The crazy, mean and insane prosecutor (the 4th one to be assigned to my case) raised her hand and asked for me to do jail time, saying, "Mrs. Hamstead was driving a brand new Honda Pilot, so a fine won't mean anything to her." She also wanted me to do many hours of community service. I think she's overlooking the trauma I've been

through for almost two years now. April 25, 2016, was the second worst day of my life, only to be topped by the day that my grandmother passed away. I was so scared of law enforcement and West Virginia after that date that I moved from the State of West Virginia within months. I've had to travel back and forth eight times to eight hearings. The State Trooper didn't bother to show up at three hearings. The Magistrate is supposed to drop the charges if the arresting officer fails to appear at substantive hearings. My first Magistrate (female) said in Court that if it happened a third time, charges would immediately be dropped, no excuses, yet when it happened a third time, his absence was forgiven by the new (male) Magistrate. I drove in all kinds of inclement weather to go to hearings, rain coming in through my damaged door onto my shoulders, once not finding out until the night before that my presence was absolutely required (at a status hearing where the State Trooper didn't show and so the female magistrate continued the hearing). I believe I was given disparate treatment and maliciously prosecuted for one reason: the State Trooper always gets to take his victims to the County jail and he didn't get to in my case. I was released just after midnight at the Magistrate Court on my own recognizance. No bond. The 4<sup>th</sup> and final prosecutor in my case said the Officer was upset that I was "unfairly" released (arraigned). Neither he nor the prosecutor have a clear understanding of WV law regarding arraignment, so he is allowed to arrest everyone, take them to jail and then release them after they have been forced to spend time "behind bars." He must get some sick pleasure from seeing people (mostly women from what I understand) behind bars. He also must get some sick pleasure from collecting driver's licenses of his victims, as he does not return them. He admitted in court that my driver's license laid around on his desk and that he didn't know where it was. But we know that this is his pathologically sick routine, collecting the licenses of his victims. I immediately noticed my missing driver's license the next day and my attorney repeatedly asked for it to be returned. I had to go get a new one, fearing being stopped and harassed further by police.

I've collected all kinds of videos, audios, statements and other evidence (from other victims and witnesses) which will prove that these police officers are corrupt and that these DOH employees and



contractors are also corrupt. Apparently, they all wanted to get me out of the way, and thus went along with the cover up, one could say they perhaps even caused the incident by lying to the police. Well, I am a very strong woman and I have received great support from friends and family. So, I will not give up. I filed an appeal in Circuit Court regarding the two remaining misdemeanor charges which will forever remain on my background check unless I get them resolved and removed. My husband filed a new succinct motion to dismiss with the new Circuit Court Judge, requesting a hearing to view the video. At the Circuit Court status hearing on February 7th, 2018, the lead Magistrate Court Prosecutor himself, Matthew Harvey, showed up and fought the scheduling of a hearing to show the video. The new judge said "okay, no hearing" and then set my trial date down for April 24, 2018. Ironically, this date is one day before the 2 year statute of limitations will expire to file a Civil Suit. She implied that the motion (to view the video) will be heard at trial. But, knowing the collusion that runs deep in this system, and the track record of this court system to hide evidence, I fully expect them to try again to block the viewing of this APUS video. That's why I want media to be there. I want the public to know that no one in this system will do the right thing and investigate this crime. They are avoiding the viewing of this video like the plague. It is a federal crime to falsify evidence that causes a person to be charged. I have reached out to the FBI, but thus far have gotten no real response. They will "look into it." That's not surprising, since they are obviously too busy investigating our President and dealing with serious gun issues to be bothered with everyday code of silence activity. I do understand that the FBI has its priorities, but at what point will police corruption in West Virginia become a priority?

I shared my experience, shortly thereafter, with a good banking friend of mine. She said she could believe it and told me why. She was beaten like that by the Sheriff of Jefferson County, thrown up against a brick wall, all because she went to talk to her ex-husband about their children and he had called the police. She and I knew each other from years of attending Sunday school together at the Charles Town Baptist Church. She is a salt of the earth, reliable, sweet lady. She kept this a secret. She had no support, no family. She was a single mom raising two children. She didn't fight it

because she didn't have the resources or support. I have both. And I will spend my last dollar fighting for a change in that system! That Sheriff was years later caught on video kicking in the head of a man in handcuffs who was already lying on the ground. Unfortunately, he only received a five year sentence. But my friend said it was a happy day for her. She finally felt somewhat vindicated. How many people did he beat over the years?

How many people (mostly women) will this State Trooper be allowed to hurt before he's stopped? They may not catch him because none of the police officers are videoing these abuses. If they are, they've been erasing the video. This happened the summer of my incident in Shepherdstown, WV. The State Police, bored, showed up at the scene of a simple incident in which the local police had already handled and which was over. But, upon arrival a State Trooper got out of his car, escalated the situation and physically attacked a man who was simply walking home with a six pack of beer. Shepherdstown police caught it on video and the City attorney dropped the charges immediately and apologized to the victim, telling him that he could go after the State Police if he wanted. He did not. And, when the local police were asked if they were going to report it, they said no. They were scared of repercussions.

The more I dig, the more I find out that this type of activity has been going on for decades in West Virginia. It is my hope to put an end to it. I hope to bring National attention to the mistraining of officers (they train militant style and physical force is their first go to). Also, I hope to bring National attention to the enabling that is occurring in our corrupt WV system. From my experience, everyone - from the Court clerks, to the prosecutors to the magistrates - is entrenched in a good old boy system which enables these officers to continue hurting people.

\* And he abused a female who "was not a threat" (his words), whose car had just sustained great damage from being hit by a construction work truck (over \$3,000 worth of damage).